

S/N 10/566,460

In Response to the Office Action dated March 15, 2010

REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and following remarks.

Claims 1 and 2 have been amended.

35 USC § 112 Rejection

Claim 2 is rejected under 35 USC § 112, second paragraph as being indefinite.

Claims 1 and 2 have been editorially amended to clarify that one or more recording layers may be present. Claim 2 has been further amended to clarify the location of an outer power calibration area. Applicants respectfully request that the rejection be withdrawn.

35 USC § 103 Rejections

Claims 1, 2, 12, and 15 are rejected under 35 USC 103(a) as being unpatentable over Hiroki (US 5,703,841) in view of Adachi (US Pub. No. 2002/0154585). Applicants respectfully traverse the rejection.

Claim 1 is directed to an information recording medium where the address information of a point defining an outer boundary for recording additional user information in the data recordable area is in the record management area, with said outer boundary for recording additional user information being inward of the outer power calibration area.

Therefore, the feature of claim 1 is that the outer boundary of the additional user information is defined as inside the outer power calibration area.

As noted in the rejection, Hiroki fails to disclose address information of a point defining an outer boundary for recording additional user information in the data recordable area is in the record management area. Therefore, Hiroki does not teach or suggest the features of claim 1.

Adachi actually discloses recording a final recording position in a record management area (para. [0044]). The final recording position is a pre-determined address denoting the last position at which information can be stored. Thus, Adachi is silent as to

S/N 10/566,460

In Response to the Office Action dated March 15, 2010

and does not disclose whether the final recording is "address information of a point defining an outer boundary for recording additional user information in the data recordable area is in the record management area and defines the outer boundary that is inward of the outer power calibration area" as required in claim 1. Adachi does not make note of the outer boundary or of the power calibration area. Therefore, Adachi does not disclose the features of claim 1.

Therefore, the combination of the Hiroki or Adachi would not result in the claimed feature since the claimed feature is not disclosed, taught or suggested by either reference. The rejection should be withdrawn.

Claims 2, 12, and 15 are allowable at least by virtue of their dependence on independent claim 1. The rejection of these dependent claims should be withdrawn. Applicants do not concede the correctness of the rejection.

Claims 4, 8, 9, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroki (US 5,703,841) in view of Adachi (US Pub. No. 2002/0154585), as applied to claim 1, and further in view of Ito et al. (US 7,184,377). Applicants respectfully traverse this rejection.

Claims 4, 8, 9 and 23 are allowable at least by virtue of their dependence on independent claim 1 or intervening dependent claims. The rejection of these dependent claims should be withdrawn. Applicants do not concede the correctness of the rejection.

Claim 6 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroki (US 5,703,841), Adachi (US Pub. No. 2002/0154585) and Ito et al. (US 7,184,377), as applied to claim 4 above, and further in view of Lee et al. (US 2008/0013425). Applicants respectfully traverse this rejection.

Claim 6 is allowable at least by virtue of its dependence on independent claim 1 or intervening dependent claims. The rejection of this dependent claim should be withdrawn. Applicants do not concede the correctness of the rejection.

Claim 7 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroki (US 5,703,841), Adachi (US Pub. No. 2002/0154585) and Ito et al. (US

S/N 10/566,460

In Response to the Office Action dated March 15, 2010

7,184,377), as applied to claim 4 above, and further in view of *DVD+R 4.7 Gbytes Basic Format...*(non-Patent Document 1). Applicants respectfully traverse this rejection.

Claim 7 is allowable at least by virtue of its dependence on independent claim 1 or intervening dependent claims. The rejection of this dependent claim should be withdrawn. Applicants do not concede the correctness of the rejection.

Claims 10 and 11 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroki (US 5,703,841) in view of Adachi (US Pub. No. 2002/0154585), as applied to claim 1, and further in view of *DVD+R 4.7 Gbytes Basic Format...*(non-Patent Document 1). Applicants respectfully traverse this rejection.

Claims 10 and 11 are allowable at least by virtue of their dependence on independent claim 1. The rejection of this dependent claim should be withdrawn. Applicants do not concede the correctness of the rejection.

Claims 13, 14, 16, and 17 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroki (US 5,703,841) in view of Adachi (US Pub. No. 2002/0154585), as applied to claim 1, and further in view of Morozumi et al. (US 2003/0185120). Applicants respectfully traverse this rejection.

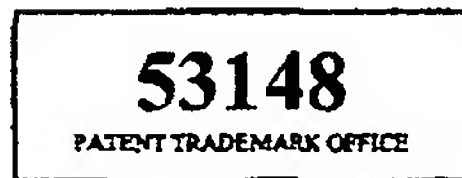
Claims 13, 14, 16, and 17 are allowable at least by virtue of their dependence on independent claim 1 or intervening dependent claims. The rejection of this dependent claim should be withdrawn. Applicants do not concede the correctness of the rejection.

S/N 10/566,460

In Response to the Office Action dated March 15, 2010

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.



Dated: May 12 2010

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &
LARSON, P.C.

P.O. Box 2902
Minneapolis, MN 55402-0902
(612) 455-3800

By: _____

James A. Larson
James A. Larson
Reg. No. 40,443
JAL/DPM/lif